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Counsel for Defendant
ANGEL RAMIREZ

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AUSENCIO ALVAREZ CORTEZ,
ANGEL ISMAEL RAMIREZ,

Defendants

Case No.: 2:20-CR-229 TLN

STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE
AND EXCLUDE TIME UNDER THE
SPEEDY TRIAL ACT

It is hereby stipulated by and between counsel for the United States and counsel for the defendants Ausencio Cortez and Angel Ramirez that the status conference scheduled for January 19, 2023 be continued to April 20, 2023 at 9:30 a.m. It is further stipulated that time be excluded under the Speedy Trial Act through April 20, 2023.

This parties stipulate to the continuance for several reasons: Defendant Ramirez has surgery scheduled for January 13, 2023 which will require several days to a week of rest; travel from Southern California to Sacramento for the upcoming status appears will therefore be burdensome. Moreover, the parties request the continuance to allow additional time for defense counsel to meet and confer with the defendants, resolve any outstanding discovery issues, conduct investigation, and discuss potential resolution. Finally, the Court has requested that status appearances be continued on the date currently scheduled unless there are substantive issues that the parties need the Court to address.

For these reasons, the parties stipulate and agree that continuing the status appearance and excluding time through April 20, 2023 is appropriate, and is necessary for the effective preparation of defense counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by excluding the time through April 20, 2023 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

SO STIPULATED.

Phillip A. Talbert
United States Attorney

Dated: January 9, 2023

_____/s/
James Conolly
Assistant United States Attorney

Dated: January 9, 2023

_____/s/
Dina Santos
Attorney for Ausencio Alvarez Cortez

Dated: January 9, 2023

_____/s/
Adam Pennella
Attorney for Angel Ismael Ramirez

ORDER

The Court has read and considered the Stipulation Regarding Excludable Time Period Pursuant to Speedy Trial Act, filed by the parties in this matter. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that provide good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161. The status hearing in the above matter is ordered continued, and time is excluded, to April 20, 2023 at 9:30 a.m.

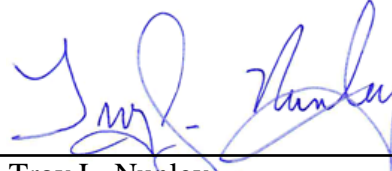
The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendant in a speedy trial; and (ii) failure to grant the

1 continuance would deny defense counsel the reasonable time necessary for effective preparation,
2 taking into account the exercise of due diligence.

3 Nothing in this Order shall preclude a finding that other provisions of the Speedy Trial
4 Act dictate that additional time periods are excluded from the period within which trial must
5 commence.

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7 **SO ORDERED.**

8 Dated: January 11, 2023

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10 Troy L. Nunley
11 United States District Judge
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